

Late Backup

#55

THE PARK PUD – C814-2008-0145
Basis for Superiority and Recommendation
1-12-11

| Item | Code Requirement | PUD Proposal | Superiority |
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| Uses <i>PUD Notes 3, 12 and 57</i> | <ul style="list-style-type: none"> ▪ Not required Note: 2008 PUD Tier 1B and 1E | <ul style="list-style-type: none"> ▪ Eliminates many uses currently allowed by CS-1 zoning, including automotive uses, storage uses and outdoor entertainment uses | <ul style="list-style-type: none"> ▪ Limiting uses to those defined in the PUD ensures that the project will be compatible with adjoining uses and the cultural district |
| Floodplain <i>PUD Note 8</i> | <ul style="list-style-type: none"> ▪ 25-7-92(A) and (B) 25 and 100 year floodplain encroachment criteria Note: 2008 PUD Tier 1B | <ul style="list-style-type: none"> ▪ 25-7-92(C)(1)(d) – providing for 25% more floodplain volume than required | <ul style="list-style-type: none"> ▪ Exceeding minimum floodplain variance criteria regarding floodplain volume and storage and improving the drainage system |
| Green Building <i>PUD Note 17</i> | <ul style="list-style-type: none"> ▪ Not Required Note: 2008 PUD Tier 1D | <ul style="list-style-type: none"> ▪ 3-Star Green Building under 2007 Commercial Rating System | <ul style="list-style-type: none"> ▪ Participating in Green Building that is only required by new PUD ordinance |
| Water Quality <i>PUD Note 35</i> | <ul style="list-style-type: none"> ▪ Not Required Note: 2008 PUD Tier 1B and 1F and Tier 2 | <ul style="list-style-type: none"> ▪ Use of rain gardens, pervious pavement and rainwater harvesting | <ul style="list-style-type: none"> ▪ Using progressive water quality techniques that are not required by Code |
| Integrated Pest Management Plan <i>PUD Note 23</i> | <ul style="list-style-type: none"> ▪ Not Required | <ul style="list-style-type: none"> ▪ IPM Plan to be provided | <ul style="list-style-type: none"> ▪ Applying an IPM Plan when not required |
| Landscaping <i>PUD Notes 18 and 37</i> | <ul style="list-style-type: none"> ▪ Not Required | <ul style="list-style-type: none"> ▪ 100% of the site will be native and adaptive species with a prohibition of invasive plants | <ul style="list-style-type: none"> ▪ Applying Grow Green regulations when not required |

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| | <ul style="list-style-type: none"> ▪ Not Required ▪ Not Required <p>Note: 2008 PUD Tier 1H</p> | <ul style="list-style-type: none"> ▪ Will exceed minimum landscaping requirements ▪ Providing 4 evergreen trees along the southern façade of the structure in consultation with neighboring property owners | <ul style="list-style-type: none"> ▪ Exceeding landscaping code when not required ▪ Providing trees for additional screening for the benefit of residential neighbors |
| <p>Connectivity (Pedestrian)</p> <p><i>PUD Notes 21 and 25</i></p> | <ul style="list-style-type: none"> ▪ Commercial Design Standards <p>Note: 2008 PUD Tier 1i</p> | <ul style="list-style-type: none"> ▪ Providing a public access easement for pedestrian connectivity between East Bouldin Creek, Auditorium Shores and Lady Bird Lake ▪ The site may not be gated | <ul style="list-style-type: none"> ▪ Providing for easements for pedestrian connections through the site beyond standard CDS compliance when not required ▪ Providing for open access without gating |
| <p>Open Space</p> <p><i>PUD Notes 19, 25 and 60</i></p> | <ul style="list-style-type: none"> ▪ Pre and Post 2008 PUD (Tier 1C requires: 10% Residential 15% Industrial 20% Commercial, unless such a percentage is not feasible for urban property) ▪ Not Required <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ Providing for 20% open space requirement for a commercial development ▪ Providing for connectivity from East Bouldin Creek to Auditorium Shores and Lady Bird Lake ▪ \$225,000 contribution to the Austin Parks Foundation for retrofit of the public fountains at Butler Park | <ul style="list-style-type: none"> ▪ Providing for 20% open space that is only required by the new PUD ordinance, without reduction because of urban location ▪ Providing for proportional enhancement to existing or planned trails, parks and open space via a pedestrian easement linking East Bouldin Creek to Auditorium Shores and Lady Bird Lake ▪ Providing for badly-needed park improvements that benefit all who utilize Butler Park |

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| Art <i>PUD Note 13</i> | <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ The PUD will provide art approved by the Art in Public Places program either by providing the art directly or by making a cash contribution to the program | <ul style="list-style-type: none"> ▪ Providing for public art directly or a contribution to the program when not required |
| Community Amenities <i>PUD Note 58</i> | <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ Providing for 1,000 square feet of rent-free space dedicated to a non-profit organization | <ul style="list-style-type: none"> ▪ Providing rent-free space for non-profit organization when not required |
| Local Small Business <i>PUD Note 14</i> | <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ The project shall provide space to one or more independent retail or restaurant small business whose principal place of business is within the Austin metropolitan statistical area | <ul style="list-style-type: none"> ▪ Providing space at below market rent for a local business when not required |
| Public Facilities <i>PUD Note 59</i> | <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Tier 1G</p> | <ul style="list-style-type: none"> ▪ Contribute \$25,000 to either the Austin Police Department or Austin Parks Police for use of facilities or equipment in the area. | <ul style="list-style-type: none"> ▪ Financial commitment to enhance facilities or equipment for police in the area. |
| Transportation <i>PUD Notes 10, 11, 25 and 38</i> | <ul style="list-style-type: none"> ▪ Not Required ▪ Not Required ▪ Not Required ▪ Minimum number of bicycle parking spaces required (not in a secure facility) ▪ Not Required ▪ Not Required | <ul style="list-style-type: none"> ▪ Providing for two dedicated parking spaces for use by the Austin CarShare Program ▪ Providing for overflow parking spaces for civic arts and cultural facilities such as Austin Lyric Opera and Long Center ▪ Providing for shower facilities for office tenants to promote bicycle commuting ▪ Providing 94 bicycle parking spaces, including a minimum of 56 spaces in a secured facility on the ground floor of the parking garage ▪ Providing for Great Streets program facilities adjacent to the project ▪ Providing for connectivity from East Bouldin Creek to Auditorium Shores and Lady Bird Lake | <ul style="list-style-type: none"> ▪ Providing for dedicated Austin CarShare spaces when not required ▪ Providing for shared parking when not required ▪ Encouraging bicycle commuting for office tenants by providing showers ▪ Providing double the amount of bicycle parking spaces required by Code, and providing secured bicycle parking within the parking garage in a prime location ▪ Providing for Great Streets program facilities when not required ▪ Providing for pedestrian and bicycle connectivity via a pedestrian easement linking East Bouldin Creek to |

| | Note: 2008 PUD Tier 1B and Tier 2 | | Auditorium Shores when not required |
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| <p>Building Design</p> <p><i>PUD Notes 15, 22, 26, 27, 28, 29, 31, 33, 40, 42, 43, 44, 48, 49, 50, 51, 52, 53 and 56</i></p> | <p>Commercial Design Standards basic points</p> <ul style="list-style-type: none"> ▪ Not Required ▪ Setback from back wall space is required, but at no minimum amount ▪ Glazing percentage on north façade is required at 60% | <ul style="list-style-type: none"> ▪ Exceeding the minimum points for building design by providing 10 points versus 1 point required ▪ Mixed-use building providing a restaurant on the ground floor ▪ The southeastern corner of the building shall contain a pedestrian-oriented use facing East Bouldin Creek ▪ At least 35% of the building frontage along the pedestrian easement shall include pedestrian-oriented uses ▪ The southern-most face of the parking garage shall not contain any openings allowing for noise and light to escape toward residential areas ▪ HVAC and other mechanical equipment shall be screened and located away from residential neighbors ▪ Dumpsters will be screened and located a minimum of 65 feet from the southernmost boundary of the property ▪ Setback from base wall face is specified at 8 feet ▪ Glazing percentage on north façade is increased to 70% | <ul style="list-style-type: none"> ▪ Exceeding Commercial Design Standards when not required ▪ Providing a much needed restaurant on the ground floor when not required ▪ Providing a café at the rear of the building when not required ▪ Providing pedestrian-oriented uses on the eastern side of the building facing the pedestrian easement when not required ▪ Providing additional compatibility requirements benefitting residential areas to the south when not required ▪ Providing additional compatibility requirements benefitting residential areas to the south when not required ▪ Providing additional compatibility requirements benefitting residential areas to the south when not required. ▪ Providing substantial stepback when not required ▪ Providing a 10% increase in glazing percentage when not required |

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| | <ul style="list-style-type: none"> ▪ Not Required <p>Note: 2008 PUD Additional Tier 1B and Tier 2</p> | <ul style="list-style-type: none"> ▪ Canopy providing shade for sidewalk is required ▪ Use of highly reflective surfaces is prohibited ▪ A sustainable roof is required ▪ Primary entrance design requirements are incorporated ▪ Exterior building materials on the southern façade are limited to three primary components | <ul style="list-style-type: none"> ▪ Providing shade on sidewalk in front of building when not required ▪ Incorporating Commercial Design Standards that do not apply to office buildings. ▪ Incorporating Commercial Design Standards that do not apply to office buildings ▪ Incorporating Commercial Design Standards that do not apply to office buildings ▪ Providing much higher quality building materials on the southern façade of the building (facing residential areas) |
| Parking Structure Frontage <i>PUD Note 16</i> | <ul style="list-style-type: none"> ▪ Not required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ 75% of the ground floor of the building frontage of the parking structure facing the principal street must contain a pedestrian-oriented use in ground floor spaces | <ul style="list-style-type: none"> ▪ Committing to increased design and use of parking structure beyond that required |
| Accessibility <i>PUD Note 32</i> | <ul style="list-style-type: none"> ▪ Standard TAS required <p>Note: 2008 PUD Tier 2</p> | <ul style="list-style-type: none"> ▪ Accessibility for persons with disabilities shall be provided to a degree exceeding applicable legal requirements by increasing parking spaces and by ensuring that no slope within the PUD exceeds 1 unit rise in 12 units run | <ul style="list-style-type: none"> ▪ Providing for additional accessibility beyond requirement |

1. DEVELOPMENT OF THE PUD IS GOVERNED BY (I) THE ZONING ORDINANCE APPROVING THE PUD ZONING BASE DISTRICT FOR THE PROPERTY, (II) THE PUD LAND USE PLAN, AND (III) THE RULES AND REGULATIONS SET FORTH IN THE LDC IN EFFECT AT THE TIME OF APPROVAL OF THIS PUD. IN THE EVENT OF CONFLICT, THE ZONING ORDINANCE AND PUD LAND USE PLAN SHALL CONTROL.
2. THE L SITE DEVELOPMENT STANDARDS ARE APPLICABLE TO THE PARK PUD. CRITERIA SPECIFIED IN THE SITE DEVELOPMENT CRITERIA TABLES (SHOWN HEREIN) SUPERSEDE THE PROPOSED BASE DISTRICT REQUIREMENTS. THE SITE DEVELOPMENT CRITERIA TABLE AND THE ACCOMPANYING NOTES SHALL SERVE AS THE DEVELOPMENT STANDARDS FOR ALL USES.
3. LAND USES LISTED IN THE PERMITTED USES TABLE SHALL BE PERMITTED WITHIN THE PUD. THE FOLLOWING USES SHALL NOT BE ALLOWED ON THE PROPERTY: AUTOMOTIVE RENTAL; AUTOMOTIVE REPAIR SERVICES; AUTOMOTIVE SALES; AUTOMOTIVE WASHING; CAMPGROUND; COMMERCIAL OFF STREET PARKING; CUSTOM MANUFACTURING; DROP OFF RECYCLING COLLECTION; EQUIPMENT REPAIR SERVICES; EXTERMINATING SERVICES; KENNELS; LAUNDRY SERVICES; LIMITED WAREHOUSE DISTRIBUTION; SERVICE STATION; VEHICLE STORAGE; MAINTENANCE & SERVICE FACILITIES.
4. PERMITTED USES FOR THE PROJECT INCLUDE CONDOMINIUM AND MULTIFAMILY RESIDENTIAL USES, BUT SUCH RESIDENTIAL USES MAY NOT EXCEED 49% OF THE GROSS AREA OF THE PROJECT.
5. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN SHALL BE APPROVED BY THE AUSTIN WATER UTILITY. CONSTRUCTION OF PUBLIC WATER AND WASTEWATER FACILITIES SHALL BE INSPECTED BY THE CITY. THE OWNER OR SITE PLAN APPLICANT SHALL PAY ALL ASSOCIATED AND APPLICABLE CITY FEES.
6. PRIOR TO CONSTRUCTION, APPROVAL OF A SITE PLAN AND ASSOCIATED DRAINAGE PLANS BY THE DIRECTOR OF THE CITY OF AUSTIN'S WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT IS REQUIRED FOR ALL DEVELOPMENT, UNLESS OTHERWISE EXEMPT UNDER THE CITY OF AUSTIN LAND DEVELOPMENT CODE (LDC).
7. THIS PROJECT IS LOCATED IN THE EAST BOULDIN CREEK WATERSHED, WHICH IS CLASSIFIED AS AN URBAN WATERSHED. THIS PROJECT IS NOT LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
8. THE TRACT SHOWN HEREON LIES WITHIN ZONES "AE" AND "AO" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON MAP NO. 48453C0445G.
9. PRIOR TO ISSUANCE OF A SITE PLAN ON THE PROPERTY, ADMINISTRATIVE VARIANCES MUST BE OBTAINED PURSUANT TO THE LAND DEVELOPMENT CODE SECTION 25-7-92 (C)(1), AND 25-7-152 (E), OR THE CITY COUNCIL MUST APPROVE VARIANCES TO THE REQUIREMENTS OF SECTIONS 25-7-92 (A) AND (B), 25-7-152 (A), AND 25-12-3, APPENDIX G 102.3.
10. THE PARKING FACILITY FOR THE PROJECT SHALL INCLUDE TWO SPACES DEDICATED TO THE AUSTIN CARSHARE PROGRAM, TO BE PROVIDED FREE OF CHARGE TO THE PROGRAM. THE USE OF THE SPACES, AND THE DURATION OF SUCH USE, SHALL BE AT THE SOLE DISCRETION OF THE PROGRAM, PROVIDED, HOWEVER, IF THE PROGRAM DOES NOT USE THESE SPACES FOR THEIR INTENDED PURPOSE FOR 12 CONSECUTIVE MONTHS, THEREAFTER THE PROGRAM SHALL NOT HAVE THE RIGHT TO USE SUCH SPACES.
11. THE PROJECT SHALL PROVIDE VEHICLE PARKING AND BICYCLE PARKING, ON A NON-RESERVED, AS-AVAILABLE BASIS, FOR NEIGHBORING CULTURAL FACILITIES AND NOT-FOR-PROFIT ORGANIZATIONS. SUCH PARKING SHALL BE AVAILABLE TO PATRONS OF SUCH FACILITIES AND ORGANIZATIONS DURING NON-BUSINESS HOURS AT NO GREATER THAN MARKET RATES. UNDER NO CIRCUMSTANCES SHALL AN OFFSITE ACCESSORY PARKING USE OR A COMMERCIAL OFF-STREET PARKING USE BE THE PRINCIPAL USE OF THE PROJECT.
12. THE PRINCIPAL USE OF ANY PROJECT THAT EXCEEDS 60 FEET IN HEIGHT OR 2:1 FLOOR-TO-AREA RATIO ("FAR") ON THE SITE SHALL BE A "COMMERCIAL" USE AS SUCH TERM IS DEFINED IN THE LAND DEVELOPMENT CODE IN EFFECT AT THE TIME OF APPROVAL OF THIS PUD.
13. THE PROJECT SHALL PROVIDE ART APPROVED BY THE ART IN PUBLIC PLACES PROGRAM IN OPEN SPACES, EITHER BY PROVIDING THE ART DIRECTLY OR BY MAKING A CONTRIBUTION TO THE CITY'S ART IN PUBLIC SPACES PROGRAM PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY STRUCTURE ON THE PROPERTY.
14. THE PROJECT SHALL PROVIDE SPACE TO ONE OR MORE INDEPENDENT RETAIL OR RESTAURANT SMALL BUSINESSES WHOSE PRINCIPAL PLACE OF BUSINESS IS WITHIN THE AUSTIN METROPOLITAN STATISTICAL AREA.

15. THE BUILDING DESIGN OF THE PROJECT SHALL EXCEED THE MINIMUM POINTS REQUIRED BY THE BUILDING DESIGN OPTIONS OF SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E, (DESIGN STANDARDS AND MIXED USE).
16. AT LEAST 75% OF THE BUILDING FRONTAGE ALONG BARTON SPRINGS ROAD OF ALL PARKING STRUCTURES SHALL BE DESIGNED FOR PEDESTRIAN-ORIENTED USES AS DEFINED IN SECTION 25-2-691(C) (WATERFRONT OVERLAY DISTRICT USES) IN GROUND FLOOR SPACES. THE PROJECT SHALL INCLUDE NO GROUND FLOOR PARKING WITHIN THE FIRST 50 FEET OF THE SITE MEASURED FROM THE RIGHT-OF-WAY OF BARTON SPRINGS ROAD.
17. THE PROJECT SHALL MEET OR EXCEED A THREE STAR LEVEL ACCORDING TO THE CITY'S 2007 COMMERCIAL GREEN BUILDER PROGRAM.
18. THE PROJECT SHALL EXCEED THE MINIMUM CITY OF AUSTIN LANDSCAPING REQUIREMENTS. 100% OF THE LANDSCAPING OF THE ENTIRE PUD AREA SHALL UTILIZE PLANT MATERIAL RECOMMENDED IN THE CITY OF AUSTIN "PREFERRED PLANT LIST" AND THE GROW GREEN NATIVE AND ADAPTIVE LANDSCAPE PLANT GUIDE. INVASIVE PLANTS ARE PROHIBITED.
19. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY STRUCTURE, THE DEVELOPER SHALL PROVIDE \$225,000 FUNDING TO THE AUSTIN PARKS FOUNDATION, SUCH FUNDING TO BE USED FOR THE RETROFIT OF PUBLIC FOUNTAINS IN BUTLER PARK/AUDITORIUM SHORES.
20. COMPATIBILITY STANDARDS OF THE LAND DEVELOPMENT CODE ARE APPLICABLE TO THE PUD TO THE EXTENT THEY ARE CONSISTENT WITH THE PERMITTED HEIGHT TABLE.
21. GATED ROADWAYS ARE PROHIBITED IN THE PUD.
22. ANY RETAIL, COMMERCIAL OR MIXED USE STRUCTURE SHALL CONTAIN PEDESTRIAN-ORIENTED USES AS DEFINED IN SECTION 25-2-691(C) (WATERFRONT OVERLAY DISTRICT USES) ON THE GROUND FLOOR OF SUCH STRUCTURE. THE PRIMARY PEDESTRIAN-ORIENTED USE ON THE GROUND FLOOR OF THE STRUCTURE SHALL BE A RESTAURANT.
23. AN INTEGRATED PEST MANAGEMENT PLAN (IPM) WILL BE PROVIDED FOR THE ENTIRE PUD AREA.
24. THE PROJECT SHALL MEET OR EXCEED ALL REGULATIONS OR REQUIREMENTS OF THE WATERFRONT OVERLAY ORDINANCE AS APPLICABLE TO THIS TRACT, AND NO VARIANCES TO THESE REGULATIONS OR REQUIREMENTS ARE SOUGHT BY THE ZONING CHANGE.
25. THE PROJECT SHALL INCLUDE A DEDICATED PUBLIC EASEMENT OF AT LEAST EIGHT (8) FEET IN WIDTH ALONG THE EASTERN PROPERTY LINE OF THE PROPERTY FOR THE FULL LENGTH OF THE PROPERTY, AND THE CONSTRUCTION (AT THE SOLE EXPENSE OF THE DEVELOPER) OF A PATHWAY WITHIN SUCH ACCESS EASEMENT. THIS AND ANY OTHER REQUIRED EASEMENTS SHALL BE DEDICATED BY FINAL PLAT OR SEPARATE INSTRUMENT, AS DETERMINED BY THE PROPERTY OWNER.
26. THE SOUTHEASTERN CORNER OF THE BUILDING SHALL INCLUDE A PEDESTRIAN-ORIENTED USE FACING EAST BOULDIN CREEK AND THE PATHWAY. STEPS SHALL BE PROVIDED FROM THE PATHWAY TO THE NATURAL GRADE AT THE SOUTHEASTERN CORNER OF THE PROPERTY.
27. AT LEAST 35% OF THE BUILDING FRONTAGE ALONG THE PUBLIC ACCESS PATHWAY SHALL INCLUDE PEDESTRIAN ORIENTED USES. ANY COVERED OUTDOOR SEATING CONNECTED WITH A PEDESTRIAN-ORIENTED USE SHALL BE INCLUDED WITHIN SUCH CALCULATION.
28. THE ALLOWED IMPERVIOUS COVER ON THE TRACT IS 95%. REDEVELOPMENT OF THE TRACT SHALL BE ACHIEVED SUBJECT TO LAND DEVELOPMENT CODE SECTION 25-8-26. THE IMPERVIOUS COVER FOR THE PROJECT SHALL NOT EXCEED 92%.
29. THE SOUTHERN MOST FACADE OF THE PARKING GARAGE SHALL BE CONSTRUCTED WITHOUT OPENINGS.
30. ALL EXTERIOR LIGHTING SHALL BE HOODED AND/OR SHIELDED IN A MANNER THAT MEETS OR EXCEEDS CURRENT CITY CODE REQUIREMENTS.
31. HVAC AND OTHER MECHANICAL EQUIPMENT SHALL BE PLACED ABOVE THE HIGHEST OCCUPIABLE SPACE NOT EXEMPTED BY LAND DEVELOPMENT CODE SECTION 25-2-531, AND SUCH EQUIPMENT SHALL BE SCREENED AND ORIENTED AWAY FROM NEIGHBORING RESIDENTIAL PROPERTIES.
32. ACCESSIBILITY FOR PERSONS WITH DISABILITIES SHALL BE PROVIDED TO A DEGREE EXCEEDING APPLICABLE LEGAL REQUIREMENTS BY INCREASING THE AMOUNT OF ACCESSIBLE PARKING SPACES AND

BY ENSURING THAT NO SLOPE WITHIN THE PUD EXCEEDS A SLOPE GREATER THAN 1 UNIT RISE AND 12 UNITS RUN.

33. ALL TRASH RECEPTACLES, HVAC EQUIPMENT, UTILITY METERS, LOADING AREAS AND EXTERNAL STORAGE WILL BE SCREENED FROM PUBLIC VIEW. DUMPSTERS SHALL BE LOCATED MORE THAN 65 FEET FROM THE SOUTHERN MOST PROPERTY LINE OF SITE.
34. WATER QUALITY IMPROVEMENTS SHALL BE CONSTRUCTED ON THE SITE MEETING ALL CODE REQUIREMENTS FOR TREATING THE STORM WATER RUN-OFF FROM THE SITE, AND A FEE-IN-LEIU SHALL NOT BE REQUESTED.
35. RAIN GARDENS, PERVIOUS PAVEMENT ON SIDEWALKS, AND RAINWATER HARVESTING SHALL BE INCLUDED IN THE WATER QUALITY PLAN APPLICABLE TO THIS PROJECT.
36. THE DEVELOPER SHALL PROVIDE 4 STREET TREES TO BE SITED ALONG BARTON SPRINGS ROAD.
37. THE DEVELOPER SHALL PROVIDE 4 EVERGREEN TREES OF A MINIMUM TWO INCH CALIPER SIZE TO BE SITED IN CONSULTATION WITH NEIGHBORING PROPERTY OWNERS TO SCREEN THE SOUTHERN FACADE OF THE STRUCTURE.
38. BICYCLE PARKING SHALL BE PROVIDED IN THE PARKING GARAGE, AND AN ON-SITE SHOWER FACILITY SHALL BE PROVIDED FOR EMPLOYEES OF OWNERS OR TENANTS OF THE PROJECT. TOTAL BIKE PARKING SPACES WITHIN THE PROJECT SHALL BE MINIMUM OF 94 SPACES. A PORTION OF SUCH BICYCLE PARKING SHALL BE LOCATED WITHIN THE PARKING GARAGE, SHALL CONTAIN PARKING FOR A MINIMUM OF 56 BICYCLES AND SHALL BE LOCATED IN A GATED AND SECURED AREA ON THE GROUND FLOOR OF THE PARKING GARAGE, SUBJECT TO APPROVAL OF SUCH LOCATION BY THE CITY OF AUSTIN.
39. HEIGHT FOR HIGHEST FLOOR SLAB OF PARKING GARAGE SHALL BE NO GREATER THAN 45 FEET.
40. SETBACK FROM BASE WALL FACE SHALL BE A MINIMUM OF 8 FEET.
41. MECHANICAL EQUIPMENT SCREENING AT THE HIGHEST BUILDING LEVEL SHALL BE NO TALLER THAN 12 FEET, NO WIDER THAT 70 FEET IN THE DIRECTION PARALLEL TO BARTON SPRINGS ROAD AND OCCUPY NO MORE THAN 9000 SQUARE FEET.
42. THE GLAZING PERCENTAGE OF CONDITIONED SPACE FOR THE NORTH FACADE SHALL BE NO LESS THAN 70%.
43. A CANOPY SHALL EXTEND AT LEAST 10 FEET PAST THE NORTH FACADE AND BE NOT LESS THAN 60 FEET WIDE IN ORDER TO PROVIDE SHADING OF SIDEWALKS AS ENCOURAGED BY THE GREAT STREETS INITIATIVE.
44. THE HEIGHT OF THE PEDESTRIAN ORIENTED USE SPACE ALONG BARTON SPRINGS ROAD SHALL NOT BE LESS THAN 15 FEET HIGH MEASURED FROM FINISHED FLOOR TO THE TOP OF SLAB ON STORY ABOVE.
45. GREAT STREETS PROGRAM TREATMENTS SHALL BE PROVIDED, CONSISTENT WITH APPLICABLE CITY OF AUSTIN APPROVED CRITERIA MANUALS, IN THREE DISTINCT ZONES AS FOLLOWS: TREE AND FURNITURE ZONE AT SIDEWALK ALONG BARTON SPRINGS ROAD SHALL BE 10 FEET; CLEAR ZONE AT SIDEWALK ALONG BARTON SPRINGS ROAD SHALL BE 10 FEET AND; SUPPLEMENTAL ZONE AT SIDEWALK ALONG BARTON SPRINGS ROAD SHALL BE 20 FEET.
46. FACE OF BASE WALL SHALL BE BETWEEN 0-5 FEET SOUTH OF THE NORTH PROPERTY LINE.
47. THE LONG DIMENSION OF THE PORTION OF BUILDING ABOVE THE BASE WALL SHALL BE ORIENTED APPROXIMATELY PERPENDICULAR TO LADY BIRD LAKE.
48. THE USE OF HIGHLY REFLECTIVE SURFACES, INCLUDING REFLECTIVE GLASS AND REFLECTIVE METAL ROOFS WITH A PITCH OF MORE THAN A RUN OF SEVEN TO A RISE OF 12, AND REFLECTIVE METAL WALL PANELS ARE PROHIBITED. THIS PROHIBITION DOES NOT APPLY TO SOLAR PANELS AND COPPER OR PAINTED METAL ROOFS OR PAINTED METAL WALL PANELS.
49. A SUSTAINABLE ROOF SHALL BE PROVIDED THAT MEETS OR EXCEEDS THE REQUIREMENTS OF SUBCHAPTER E, 3.3.2 D. 4. A: FOR A MINIMUM OF 75 PERCENT OF THE TOTAL ROOF SURFACE, A SOLAR REFLECTANCE INDEX (SRI) OF 78 OR HIGHER FOR A ROOF WITH A SLOPE OF 2:12 OR LESS, OR 29 OR HIGHER FOR A ROOF WITH A SLOPE GREATER THAN 2:12.
50. THE PROJECT SHALL INCORPORATE ITEMS "A", "B" AND "C" OF SUBCHAPTER E 3.3.2.D.2.:
51. PRIMARY ENTRANCE DESIGN. FOR PURPOSES OF SATISFYING THE REQUIREMENTS IN SUBSECTIONS A AND B OF SUBCHAPTER E 3.3.2.D.2, "THE PRIMARY ENTRANCE DESIGN" SHALL CONSIST OF AT LEAST THREE OF THE FOLLOWING DESIGN ELEMENTS AT THE PRIMARY ENTRANCE (NONE OF WHICH CAN BE TRADEMARKED

DESIGN FEATURES), SO THAT THE PRIMARY ENTRANCE IS ARCHITECTURALLY PROMINENT AND CLEARLY VISIBLE FROM THE ABUTTING STREET:

- A. ARCHITECTURAL DETAILS SUCH AS ARCHES, FRIEZES, TILEWORK, MURALS, OR MOLDINGS.
 - B. INTEGRAL PLANTERS OR WING WALLS THAT INCORPORATE LANDSCAPE OR SEATING.
 - C. ENHANCED EXTERIOR LIGHT FIXTURES SUCH AS WALL SCONCES, LIGHT COVES WITH CONCEALED LIGHT SOURCES, GROUND-MOUNTED ACCENT LIGHTS, OR DECORATIVE PEDESTAL LIGHTS.
52. THE WIDTH OF ANY PORTION OF THE BUILDING ABOVE THE BASE WALL WHICH IS ORIENTED APPROXIMATELY PARALLEL WITH LADY BIRD LAKE SHALL BE NO GREATER THAN 100 FEET AND SHALL NOT EXTEND FOR MORE THAN 80 FEET SOUTH OF THE NORTHERN PROPERTY LINE AT THE 100 FEET MAXIMUM WIDTH. SEE FIGURE "A".
53. THE MAXIMUM WIDTH OF THE SOUTHERN MOST FACADE OF ANY PORTION OF THE BUILDING ABOVE THE BASE WALL SHALL BE NO GREATER THAN 72 FEET. NOTE: THE TERMS OF LAND DEVELOPMENT CODE SECTION 25-2-531 SHALL NOT BE DEEMED TO LIMIT AREA.
54. FINISHED GRADE FOR PURPOSES OF MEASURING HEIGHT ON ALL PORTIONS OF THE SITE WITHIN THE 100 YEAR AND 25 YEAR FLOOD PLAINS SHALL BE NO HIGHER THAN THE LOWER OF (A) THREE FEET ABOVE THE 100 YEAR FLOOD PLAIN ELEVATION OR (B) THE MINIMUM NUMBER OF FEET ABOVE THE 100 YEAR FLOOD ELEVATION REQUIRED FOR COMPLIANCE BY APPLICABLE LAW.
55. A REQUEST FOR MODIFICATION OF THE FEMA FLOODPLAIN SUBMITTED BY THE OWNER THAT REFLECTS THE MODIFICATIONS TO THE EXISTING FLOODPLAIN SHALL BE PROMPTLY PROCESSED BY THE DIRECTOR OF THE WATERSHED PROTECTION DEPARTMENT, OR ITS SUCCESSOR DEPARTMENT, ACCORDING TO APPLICABLE FEMA REGULATIONS.
56. THE EXTERIOR BUILDING MATERIALS TO BE USED ON THE SOUTHERN FACADE OF THE PROJECT SHALL CONSIST OF THE FOLLOWING THREE (3) PRIMARY COMPONENTS:
- a. BURNISHED BLOCK: GROUND-FACE CONCRETE MASONRY UNITS MADE FROM NATURAL AND MANUFACTURED AGGREGATES, CEMENT AND COLOR;
 - b. CURTAIN WALL GLASS: MULTI-PANE GLASS UNITS DESIGNED TO REDUCE THE ENERGY CONSUMPTION OF THE BUILDING SET WITHIN AN ALUMINUM EXTRUDED FRAME. THE REFLECTIVITY OF THIS GLASS WILL BE LIMITED BY SPECIFICALLY THE HIGHEST POSSIBLE VISIBLE TRANSMITTANCE REASONABLY POSSIBLE WHILE AVOIDING THE USE OF HIGH REFLECTIVE COATINGS ON THE TINTED GLASS. FOR THE PURPOSE OF THE FOREGOING, VISIBLE TRANSMITTANCE (VT), ALSO REFERRED TO AS VISIBLE LIGHT TRANSMITTANCE, SHALL MEAN THE AMOUNT OF LIGHT IN THE VISIBLE PORTION OF THE SPECTRUM THAT PASSES THROUGH A GLAZING MATERIAL. A HIGHER VT MEANS THERE IS MORE DAYLIGHT IN A SPACE WHICH, IF DESIGNED PROPERLY, CAN OFFSET ELECTRIC LIGHTING AND COOLING LOADS DUE TO LIGHTING. VT IS INFLUENCED BY THE GLAZING TYPE, THE NUMBER OF LAYERS AND ANY COATINGS THAT MIGHT BE APPLIED TO THE GLAZINGS. VT OF GLAZINGS RANGES FROM ABOVE 90 PERCENT (90%) FOR WATER WHITE CLEAR GLASS TO LESS THAN 10 PERCENT (10%) FOR HIGHLY REFLECTIVE COATINGS ON TINTED GLASS;
 - c. METAL PANELS: RECTANGULAR FLAT SEAM METAL WALL PANELS OF A PAINTED OR NATURAL FINISH.
57. OUTDOOR ENTERTAINMENT USE, AS DEFINED IN THE CODE, IS PROHIBITED AS A PRINCIPAL OR ACCESSORY USE ON THIS SITE.
58. THE PROJECT SHALL INCLUDE A MINIMUM OF 1,000 SQUARE FEET OF USABLE SPACE FOR NON-PROFIT ORGANIZATIONS TO BE PROVIDED RENT-FREE FOR A PERIOD OF 10 YEARS.
59. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST STRUCTURE, A CONTRIBUTION OF \$25,000 SHALL BE MADE TO THE AUSTIN POLICE DEPARTMENT FOR USE IN THE IMMEDIATE AREA IN SUPPORT OF POLICE AND PARK POLICE ACTIVITIES.
60. THE PROJECT SHALL CONTAIN OPEN SPACE OF AT LEAST 20 PERCENT.
61. ANY REFERENCES IN ANY OF THESE PUD NOTES OR TABLES TO LAND DEVELOPMENT CODE SECTIONS SHALL MEAN THOSE SECTIONS AS THEY EXIST ON THE EFFECTIVE DATE OF THE ZONING ORDINANCE FOR THIS SITE.